



DEPARTMENT OF THE NAVY

BUREAU OF MEDICINE AND SURGERY
WASHINGTON, D C 20372-5120

IN REPLY REFER TO

BUMEDINST 5230.4
BUMED-09D
28 AUG 89

BUMED INSTRUCTION 5230.4

From: Chief, Bureau of Medicine and Surgery

Subj: ELECTRONIC MAIL (EMAIL) USE POLICY

Ref: (a) SECNAVINST 5239.1A

Encl: (1) Electronic Mail (EMAIL) and Freedom of Information/
Privacy Act Guidance

1. Purpose. To provide policy and guidance concerning the use of EMAIL for conducting business within the Bureau of Medicine and Surgery (BUMED).

2. Background. EMAIL is a new tool available within BUMED that can aid the smooth, efficient, and timely conduct of business. EMAIL accounts, available via the Naval Medical Data Services Center, allow information to be informally sent and received at the convenience of the executive using the resource. EMAIL allows quick query and reporting of time-sensitive information between the field and headquarters. Like other communication resources such as the naval message service, EMAIL taskings must be routed through the chain of command to ensure proper control and coordination of responses as well as appropriate cognizance of the issues being addressed. EMAIL is not a replacement for official signed correspondence and should be viewed as a "heads up" type of information tool.

3. Responsibilities. The Chief, BUMED, has delegated authority to the deputy chief, assistant chiefs, and commanding officers of activities within BUMED, to maintain an EMAIL account for their command or area of responsibility. These accounts are approved for conducting department business. Appropriate automatic data processing (ADP) security and access measures must be maintained per reference (a). Further guidance is provided in enclosure (1).

4. Action. Staff members requiring EMAIL use will prepare the text to be transmitted. The sender's account name, as well as their superior in the chain of command, should also be included as an addressee when an EMAIL message needs to be retained for future reference. Retaining a copy of transmitted EMAIL provides a date/time indicator for record purposes. Each command's EMAIL



S/N 0510LD0546180

BUMEDINST 5230.4
28 AUG 89

In those instances where disclosure of EMAIL communications is not desired, the following procedures are recommended:

1. Promptly delete EMAIL messages you do not desire to retain. Remember that EMAIL stays in the EMAIL folder until it is affirmatively deleted. Reading EMAIL will not delete it. Within 24 hours, deleted messages will be permanently erased from the "host computer" backup system.

2. Do not retain hardcopies of EMAIL. Also be aware that filing messages by an individual's name or personal identifier may bring them within the purview of the Privacy Act.

3. When communicating sensitive information, consider using the telephone in lieu of EMAIL. Conversations are not subject to FOIA or the Privacy Act, although notes taken during a conversation may be.

In summary, when information transmitted by EMAIL is retained, in any form, it should be treated as any other official Government record.

Enclosure (1)

ELECTRONIC MAIL (EMAIL) AND FREEDOM OF
INFORMATION/PRIVACY ACT GUIDANCE

Users of the EMAIL system should be aware that this new method of communication is not exempt from the Freedom of Information Act (FOIA), 5 U.S.C. section 552 (1982 & Supp. IV 1986) or Privacy Act, 5 U.S.C. section 552a (1982 & Supp. IV 1986). Problems may arise due to the ease and informality of the system, coupled with a permanence not readily apparent.

The EMAIL system aids rapid transmission of information among commands. The user accesses the system via an individualized password and may then send or receive messages through a centralized computer network. Incoming messages are stored in a "host computer" that is linked by modem to the user's personal computer. After reading messages, the recipient may delete them, or may store them on the host computer hard disk, on his or her own computer, or in printout form. A short-term back-up system for EMAIL stores messages for 24-hour periods.

FOIA provides any person a right of access to all information maintained by Federal agencies, unless exempted by the statute. FOIA applies to information stored in any form, including paper, ADP storage media, and computer printouts. Thus EMAIL transmissions are subject to FOIA from the moment they are created until they no longer exist. Hard copies of EMAIL messages also fall under FOIA.

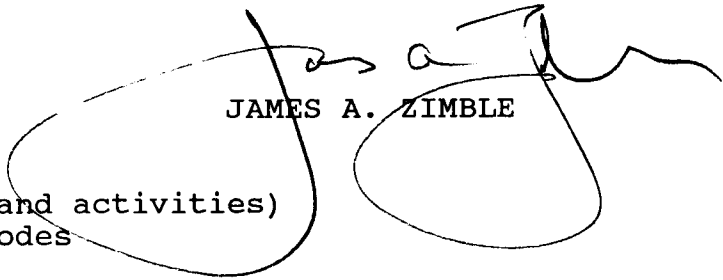
The Privacy Act provides individuals a right of access to records pertaining to themselves, while barring disclosure to others in the absence of an exemption. The Act only applies to records filed and retrieved by an individual's name, social security number, or other personal identifier. While messages on the EMAIL system are usually not subject to the Privacy Act since they are filed and retrieved by sequential number, the Act may apply if the recipient stores the message, either in the computer or in paper form, by an individual's name or personal identifier.

An important aspect of any communications system is security. All EMAIL users should ensure that access to the system is limited to those with authorization. Unauthorized disclosures may violate the Privacy Act or waive otherwise applicable FOIA exemptions.

Enclosure (1)

BUMEDINST 5230.4
28 AUG 89

account will be checked for incoming messages at a minimum of once daily by a designated individual responsible for the account. All EMAIL should be processed on the receiving end and distributed following local correspondence procedures.



JAMES A. ZIMBLE

Distribution:
SNDL, FH (BUMED command activities)
All Internal BUMED Codes

Stocked:
CO, NAVPUBFORMCEN
5801 Tabor Ave.
Phila., PA 19120-5099